

**PUBLIC HEARING**  
**BOARD OF HOUSING QUALITY APPEALS**  
**CITY HALL McCLOSKEY CONFERENCE ROOM**  
**November 09, 2011**  
**4:00 P.M.**

I. **ROLL CALL**

II. **REVIEW OF SUMMARY** - June 08, 2011; July 13, 2011 pp. 3-7

III. **OLD BUSINESS**

- (1) 11-TV-74 **1517 S. Walnut Street**, Jeanne Walters Real Estate. Request for an extension of time to complete repairs. Previously heard on June 8, 2011.  
pp. 8-14

IV. **NEW BUSINESS**

- (2) 11-TV-129 **2321 S. Rockport Road**, Jamar Properties. Request for an extension of time to complete repairs. pp. 15-24
- (3) 11-TV-130 **416 N. Lincoln Street**, Daniel Sobelman. Request for an extension of time to complete repairs. pp. 25-29
- (4) 11-AA-131 **710 W. 3<sup>rd</sup> Street**, Jane Ford. Request for relief from an administrative decision to have trees trimmed or removed. pp. 30-37
- (5) 11-AA-132 **1137 E. Commons Drive**, Garth & Karen Pollock. Request for relief from an administrative decision to consider this a rental property. pp. 38-40
- 11-TV-133 **101 S. Union Street**, Naomi & Roger Funkhouser. Request for an extension of time to complete repairs. [WITHDRAWN]
- (6) 11-AA-134 **161-167 E. Kennedy Court**, L&M Rentals. Request for relief from an administrative decision to have repairs made. pp. 41-48
- (7) 11-TV-135 **3200 E. John Hinkle Place Unit A**, Alexander Mathew. Request for an extension of time to complete repairs. pp. 49-54
- (8) 11-TV-136 **311 N. Clark Street**, Muhammad Abdul-Wahid Sayyid. Request for an extension of time to complete repairs. pp. 55-61
- (9) 11-TV-137 **328 S. Grant Street**, Mara Jade Holdings, LLC. Request for an extension of time to complete repairs. pp. 62-69
- (10) 11-TV-138 **332 S. Grant Street**, Mara Jade Holdings, LLC. Request for an extension of time to complete repairs. pp. 70-77

V. **GENERAL DISCUSSION**

VI. **PUBLIC COMMENT**

VII. **ADJOURNMENT**

**BOARD OF HOUSING QUALITY APPEALS  
CONSENT AGENDA  
CITY HALL McCLOSKEY CONFERENCE ROOM  
November 09, 2011, 4:00 P.M.**

I. Extension of time- State Variance

- (7) 11-TV-135 **3200 E. John Hinkle Place Unit A**, Alexander Mathew. Request for an extension of time to complete repairs. pp. 49-54

II. Extension of time- Complete repairs

- (2) 11-TV-129 **2321 S. Rockport Road**, Jamar Properties. Request for an extension of time to complete repairs. pp. 15-24
- (3) 11-TV-130 **416 N. Lincoln Street**, Daniel Sobelman. Request for an extension of time to complete repairs. pp. 25-29
- (8) 11-TV-136 **311 N. Clark Street**, Muhammad Abdul-Wahid Sayyid. Request for an extension of time to complete repairs. pp. 55-61
- (9) 11-TV-137 **328 S. Grant Street**, Mara Jade Holdings, LLC. Request for an extension of time to complete repairs. pp. 62-69
- (10) 11-TV-138 **332 S. Grant Street**, Mara Jade Holdings, LLC. Request for an extension of time to complete repairs. pp. 70-77

III. Administrative Decision

- (4) 11-AA-131 **710 W. 3<sup>rd</sup> Street**, Jane Ford. Request for relief from an administrative decision to have trees trimmed or removed. pp. 30-37
- (5) 11-AA-132 **1137 E. Commons Drive**, Garth & Karen Pollock. Request for relief from an administrative decision to consider this a rental property. pp. 38-40

## SUMMARY

### B.H.Q.A. MEETING OF JUNE 08, 2011

MEMBERS PRESENT: Kris Floyd, Susie Hamilton, Nikki Johnson, Ryan Strauser

STAFF PRESENT: Lisa Abbott, Michael Arnold, Daniel Bixler, John Hewett, Robert Hoole, Maria McCormick, Norman Mosier, Jo Stong (HAND), Patricia Mulvihill (Legal)

OTHERS PRESENT: Chris Hawes (Mallory Hawes), Ashley Norman (Jeanne Walters Real Estate)

I. **REVIEW OF SUMMARY** – March 9, 2011

Hamilton made a motion to approve the minutes for March 9, 2011. Johnson seconded. Motion passed, 4-0.

II. **CONSENT AGENDA**

(1) Extension of time-State Variance:

**1721 N. Lincoln Street, Parker Real Estate Management, 11-TV-69.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 8, 2011 deadline.

**741-743 S. Park Square Drive, Dolores McDonald, 11-TV-77.** Request for an extension of time to complete repairs. Recommendation was to grant with an October 1, 2011 deadline.

**1170-1180 E. Cobblefield Court, Downtown Real Estate, LLC, 11-TV-79.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 31, 2011 deadline.

**510 E. Graham Place, John T. Pace, 11-TV-80.** Request for an extension of time to complete repairs. Recommendation was to grant with an August 8, 2011 deadline for securing a State Variance and a June 15, 2011 deadline for all other repairs.

**Approved.**

(2) Extension of time to complete repairs:

**618 S. Mitchell Street, William McCoy, 11-TV-59.** Request for an extension of time to complete repairs. Previously heard on April 12, 2011. Recommendation was to grant with a July 8, 2011 deadline for repairing the roof and a June 15, 2011 deadline for all other repairs.

**1900 S. Oakdale Drive West, Lorelei Flohr-Casco-Sperry, 11-TV-62.** Request for an extension of time to complete repairs. Recommendation was to grant with a June 15, 2011 deadline for smoke detector, fire extinguisher and related electrical violations and a June 30, 2011 deadline for all other repairs.

**1607 E. Camby Court, Parker Real Estate Management, 11-TV-68.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 1, 2011 deadline for sidewalk repairs and a December 3, 2011 deadline for exterior painting.

**405 E. 17<sup>th</sup> Street, Regency Consolidated Residential, LP, 11-TV-71.** Request for an extension of time to complete repairs. Recommendation was to grant with an October 8, 2011 deadline for all window violations and a June 16, 2011 deadline for all other repairs.

**202 S. Clark Street, Kathryn Johnson, 11-TV-72.** Request for an extension of time to complete repairs. Recommendation was to grant with a June 15, 2011 deadline for all life safety violations, including furnace maintenance and installation of a smoke detector in the basement, and a July 8, 2011 deadline for all other repairs.

**1517 S. Walnut Street, Jeanne Walters Real Estate, 11-TV-74.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 8, 2011 deadline for all repairs.

**810 N. Oolitic Drive, Roderick Stark, 11-TV-75.** Request for an extension of time to complete repairs. Recommendation was to grant with an October 15, 2011 deadline for all repairs.

**316 S. Buckner Street, Trina Burkholder, 11-TV-83.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 8, 2011 deadline for all repairs.

**617 E. Moody Drive, Jan Deckard, 11-TV-85.** Request for an extension of time to complete repairs. Recommendation was to grant with a September 8, 2011 deadline for exhaust fan cover and shed repairs, and a June 15, 2011 deadline for all other repairs.

**Approved.**

(3) Extension of time to complete repairs-windows:

**252 N. Walnut Street, Omega Properties, 11-TV-67.** Request for an extension of time to complete repairs. Recommendation was to grant with a July 15, 2011 deadline.

**Approved.**

### **III. PETITIONS**

**422 N. Clark Street, Jeanne Walters Real Estate, 11-TV-73.** The petitioner, Ashley Norman of Jeanne Walters Real Estate, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with a June 15, 2011 deadline for all life safety issues and a July 14, 2011 deadline for all other repairs. Hamilton made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

**204 N. Walnut Street, Mallory Hawes, LLC, 11-TV-99.** This item was removed from the Consent Agenda. This was previously heard on November 10, 2010. The petitioner, Chris Hawes, was present to request an extension of time to complete repairs. Staff recommendation was to grant the request for extension of time with an August 31, 2011 deadline. Hawes requested more time to secure a variance from the State. Hamilton made a motion to grant the request per staff recommendation. Floyd seconded. Motion failed, 3-1 (Floyd nay). Johnson made a motion to grant the request with a November 1, 2011 deadline and condition that current and new leases with the same tenants are provided by September 30, 2011. Hamilton seconded. Motion passed, 4-0. Request granted.

**325 E. Varsity Lane, Varsity Properties, 11-TV-10.** The petitioner was not present to request an extension of time to complete repairs. This petition was previously heard on January 12, 2011. Staff recommendation was to grant the request for extension of time with an August 1, 2011 deadline for the petitioner to resolve the issue with the City of Bloomington Planning Department. Hamilton made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 4-0. Request granted.

**1912 E. Hunter Avenue, John A. Kinder, 11-TV-65.** Request for an extension of time to complete repairs. This petition was withdrawn.

**1122 S. Rogers Street, Pegasus Properties, 11-TV-70.** The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to deny the request. Hamilton made a motion to accept the staff recommendation. Strauser seconded. Motion passed, 4-0. Request denied.

**1409 S. Lincoln Street, David Bunge, 11-TV-76.** The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a July 8, 2011 deadline. Floyd made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 4-0. Request granted.

**501-503 S. Village Court, A1 Town Homes & Apartments, LLC, 11-TV-78.** The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a July 8, 2011 deadline. Floyd made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

**1019 N. Orris Drive, Michael J. Disney, 11-AA-81.** The petitioner was not present to request relief from an administrative decision concerning designation as rental property. Staff recommendation was to grant the request as long as Carla Disney resides at the property and HAND conducts a residency check in 2014. Strauser made a motion to grant the request per staff recommendation. Hamilton seconded. Motion passed, 4-0. The request is granted.

**1004 W. Ralston Drive, Ralston Properties, LLC, 11-TV-82.** The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an August 1, 2011 deadline. Hamilton made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

**619 N. Monroe Street, Mark Laughlin, 11-TV-84.** The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with a June 30,

2011 deadline. Hamilton made a motion to grant the request per staff recommendation. Strauser seconded. Motion passed, 4-0. Request granted.

**589 E. Graham Place, Kevin & Sally Young. 11-TV-27.** This item was removed from the Consent Agenda. It was previously heard on March 9, 2011. The petitioner was not present to request an extension of time to complete repairs. Staff recommendation was to grant the request with an August 8, 2011 deadline. Hamilton made a motion to grant the request per staff recommendation. Johnson seconded. Motion passed, 4-0. Request granted.

**IV. GENERAL DISCUSSION**

Commissioners commented on the consent agenda format. Feedback was provided concerning the packet and its delivery.

**V. PUBLIC COMMENT**

Patricia Mulvihill, Legal, commented on the motion made in April to have research done by the Legal Department entered into the record. Such research is considered privileged, in that it is performed for HAND and BHQA

**VI. ADJOURNMENT**

Hamilton made a motion to adjourn. Floyd seconded. Motion passed, unanimously. Meeting adjourned at 5:49 PM.



## SUMMARY

### B.H.Q.A. MEETING OF JULY 13, 2011

MEMBERS PRESENT: Sandi Cole, Kris Floyd, Susie Hamilton, Ryan Strauser

STAFF PRESENT: Daniel Bixler, Robert Hoole, Maria McCormick, Norman Mosier, Jo Stong (HAND),  
Patty Mulvihill (Legal)

OTHERS PRESENT: Felicia Davis (2511 N. Kinser Pike), Joanne Sabbagh (Cassis Enterprises, LLC)

#### I. REVIEW OF SUMMARY

No summaries to review.

#### II. CONSENT AGENDA

(1) Extensions of Time for State Variance:

**525-527 S. Village Court, L&M Rentals, 11-TV-87.** Request for an extension of time to complete repairs. Recommendation is to grant with an August 13, 2011 deadline to secure an egress variance and for all other items to be complied immediately.

**500 E. Graham Place, Parker Real Estate Mgt., 11-TV-96.** Request for an extension of time to complete repairs. Recommendation is to grant with a July 27, 2011 deadline for the hallway smoke detector and a September 13, 2011 deadline for all other items.

**507 E. Graham Place, Parker Real Estate Mgt., 11-TV-97.** Request for an extension of time to complete repairs. Recommendation is to grant with a September 13, 2011 deadline.

**1736 N. Lincoln Street, Parker Real Estate Mgt., 11-TV-98.** Request for an extension of time to complete repairs. Recommendation is to grant with a September 13, 2011 deadline to secure an egress variance and an August 15, 2011 deadline for all other items.

**Approved.**

(2) Extensions of Time for repairs:

**729 S. Washington Street, Jacqueline & Dan Willens, 11-TV-88.** Request for an extension of time to complete repairs. Recommendation is to grant with a July 27, 2011 deadline for all smoke detector and fire extinguisher violations and September 13, 2011 deadline for all other items.

**1114 S. Nancy Street, Elizabeth Grant Investments, LLC, 11-TV-90.** Request for an extension of time to complete repairs. Recommendation is to grant with an immediate replacement of the discharged fire extinguisher, a September 13, 2011 deadline for roof repairs, and an August 13, 2011 deadline for all other items.

**1214-1216 N. Grant Street, CS Property Management, 11-TV-93.** Request for an extension of time to complete repairs. Recommendation is to grant with a September 13, 2011 deadline for all roof, soffit, guttering, painting and basement structural items.

**512 W. Dixie Street, Elaine Apple Trust c/o Old National, 11-TV-94.** Request for an extension of time to complete repairs. Recommendation is to grant with an August 15, 2011 deadline for all items.

**516 S. Jordan Avenue, Laurence Ayres, 11-TV-95.** Request for an extension of time to complete repairs. Recommendation is to grant with an October 19, 2011 deadline for all items.

**511 N. Fess Avenue, Long Real Estate Investments L.P., 11-TV-99.** Request for an extension of time to complete repairs. Recommendation is to grant with an August 20, 2011 deadline for all items.

**1033 E. Maxwell Lane, William Coulter, 11-TV-100.** Request for an extension of time to complete repairs. Recommendation is to grant with an August 8, 2011 deadline to service or replace the fire extinguisher and a September 15, 2011 deadline for all other items.

**1014 N. Jackson Street, Adam & Debra Holden, 11-TV-101.** Request for an extension of time to complete repairs. Recommendation is to grant with a September 13, 2011 deadline for all items.

**514 W. 6<sup>th</sup> Street, Stasny & Horn IGP, 11-TV-102.** Request for an extension of time to complete repairs. Recommendation is to grant with a July 31, 2012 deadline for all items.

**Approved.**

III. **PETITIONS**

**806 S. Chambers Drive, Joanne Sabbagh, 11-AA-89.** The petitioner, Joanne Sabbagh, was present to request relief from an administrative decision concerning designation as a rental property. Staff recommendation was to grant the request as long as William Sabbagh resides at the property with no more than one person and HAND conducts a residency check in 2014. Hamilton made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 4-0. The request is granted.

**2511 N. Kinser Pike, Douglas Davis, Cameron Davis and Felicia Davis, 11-V-92.** The petitioner, Felicia Davis, was present to request a variance to the windows in the Family Room/Sun Room (northwest room) where the code states that all windows shall function as intended. Staff recommendation was to deny the request. Cole made a motion to grant the request with a September 13, 2011 deadline to complete repairs. Strauser seconded. Motion passed, 4-0. Request granted.

**620 & 622 N. Adams Street, Clifton Bell, 11-TV-42.** The petitioner was not present to request an extension of time to complete repairs. Petition was previously heard April 13, 2011. Staff recommendation was to grant the request with a July 27, 2011 deadline for life safety issues and an August 14, 2011 deadline for all other items. Hamilton made a motion to grant the request per staff recommendation. Floyd seconded. Motion passed, 4-0. Request granted.

**1407 N. Woodburn Avenue, Jacqueline Cushman, 11-V-91.** The petitioner was not present to request a pass thru variance for the west bedroom. Staff recommendation was to grant the request. Floyd made a motion to grant the request per staff recommendation. Cole seconded. Motion passed, 4-0. Request granted.

IV. **GENERAL DISCUSSION**

None.

V. **PUBLIC COMMENT**

None.

VI. **ADJOURNMENT**

Floyd made a motion to adjourn. Hamilton seconded. Motion passed, unanimously. Meeting adjourned at 4:15 PM.



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-74 (old)

Address: 1517 S. Walnut Street

Petitioner: Ashley Norman for Jeanne Walters Real Estate

Inspector: Jo Stong

Staff Report: February 24, 2011: Conducted cycle inspection  
March 4, 2011: Sent cycle report  
April 19, 2011: Received first appeal  
June 8, 2011: Board of Housing Quality Appeals granted a request for an extension of time to complete repairs until July 8, 2011  
July 15, 2011: Legal letter sent  
July 27, 2011: Received second appeal  
September 14, 2011: BHQA granted extension of time until September 30, 2011 to complete repairs  
September 30, 2011: Received 3<sup>rd</sup> appeal

The petitioner is seeking an additional extension of time to complete repairs. The property needed an extensive amount of work. The work is in progress. The property was broken into during construction. It is currently vacant.

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 9, 2012 or prior to being occupied.

Attachments: Cycle report, appeal





**Application For Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov**

Property Address: 1517 S. WALNUT

Petitioner's Name: Ashley Norman / Jeanne Waters <sup>Kent</sup> <sup>Bare</sup>

Address: 107 E. 10th St.

City: Bloomington State: IN ~~IL~~ Zip Code: 47408

Phone Number: 812-331-8951 E-mail Address: ashley & jeanne.waters.com.

Owner's Name: Karen Duffy

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail Address: Kduffy@indiana.edu

Occupants: NONE / VARIANCE

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

Variance Type: Exclusion -!

**Reminder:**

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that month's agenda!

(Will be assigned by BHQA)

11-TV-74 (OLD)

Petition Number: \_\_\_\_\_

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

\*. requesting an extension due to intensive  
repairs still being conducted

\*. Also - property is Vacant.

\*. Finally, please file this under  
"Old business"

Signature (Required):



Name (Print):

Ashley Norman

Date:

9/30/11

Important information regarding this application format:

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington  
Housing and Neighborhood Development**

**Cycle Report**

6392

**OWNERS**

=====

DUFFY, DOROTHY  
723 W. 9TH ST.  
BLOOMINGTON, IN 47404

**AGENT**

=====

JEANNE WALTERS REAL ESTATE  
107 E. 6TH ST.  
BLOOMINGTON IN 47408

Prop. Location: 1517 S WALNUT ST  
Date Inspected: 02/24/2011  
Inspectors: Jo Stong  
Primary Heat Source: Gas  
Property Zoning: CG  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 4  
Foundation Type: Basement  
Attic Access: No  
Accessory Structure: None

**INTERIOR:**

Kitchen (12-4 x 7-0):

Repair the light switch to function as intended. PM-604.3

Repair the wall and ceiling covering to the right of the entry door in a workmanlike manner, and properly surface-coat. PM-304.3

Replace the deteriorated exhaust hood for the stove. PM-304.3, PM-603.1

Properly secure the sink and the countertop behind it to the wall and caulk the joint. PM-304.3, PM-504.1

Repair the right front range burner to function as intended. PM-603.1

Kitchen (cont'd):

Replace the missing drawer front on the cabinet on the north wall.

Dining Area (9-1 x 6-3):

No violations noted.

Northeast Bedroom (12-3 x 8-7):

Repair the windows to open easily. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Note: Windows must be measured at the reinspection.**

Attic:

Not accessible.

Hallway:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Bathroom:

Clean and service the exhaust fan so that it functions as intended. PM-603.1

Secure toilet to its mountings. PM-504.1

Properly seal the entire perimeter of the tub including the floor and the window. PM-304.3

Scrape and paint all surfaces where paint is peeling. PM-304.3

Northwest Bedroom (13-0 x 10-3):

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Repair the broken window (west wall, north window). PM-303.13

Repair the windows to open and function as intended. Every window shall be capable of being easily opened and held in position by its own hardware. PM-303.13.2

**Note: Windows must be measured at the reinspection.**

Scrape and paint windows where paint is peeling or wood is exposed. PM-304.3

Living Room (15-0 x 12-3):

Provide operating power to smoke detector. PM-704.1

**BASEMENT**

Provide operating power to smoke detector. PM-704.1

Restore power to the outlet behind the washing machine and eliminate the extension cord and power strip. PM-604.3, PM-605.

**BASEMENT (cont'd)**

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level:	0 parts per million (ppm)
Acceptable level in a living space:	9 ppm
Maximum concentration for flue products:	50 ppm PM-603.1

**EXTERIOR:**

Provide an address identification number that is visible from the street.

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

Properly install the television cable to eliminate the trip hazard it creates on the ground. PM-302.3

**OTHER REQUIREMENTS:****Required documentation:**

Complete the enclosed registration form. A street address is required for both owner and agent. The registration form MUST be signed by the owner. BMC16.12.060

**Required documentation:**

A completed copy of the Tenants & Owners Rights and Responsibilities Summary must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.**BMC16.12.050 (d).

**Required documentation:**

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied.** BMC16.12.040

**When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit**

1517 S. Walnut Street

February 25, 2011

Page 4 of 4

**displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)**

Thank you for your cooperation in the Residential Rental Occupancy Permit Program.





City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011  
Petition Type: An extension of time to complete repairs.  
Petition Number: 11-TV-129  
Address: 2321 S. Rockport Rd.  
Petitioner: Jamar Properties  
Inspector: Norman Mosier  
Staff Report: March 25, 2011 – Conducted Cycle Inspection  
September 16, 2011 – Conducted Re-inspection  
September 16, 2011 – Received BHQA Appeal

Petitioner is requesting an extension of time to complete repairs on an apartment that incurred damage after the cycle inspection was conducted. This unit is currently vacant.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: December 9, 2011 or prior to re-occupancy

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report



RECEIVED  
SEP 19 2011

Page 1 of 2

BY: \_\_\_\_\_

Application For Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov

Property Address: 2321 S. Rockport RD

Petitioner's Name: Jamar Properties

Address: P.O. Box 7812

City: Bloomington State: IN Zip Code: 47408

Phone Number: (812) 330-8655 E-mail Address: \_\_\_\_\_

Owner's Name: Haak Trust

Address: 11222 Ferndale Rd

City: Dallas State: TX Zip Code: 75238

Phone Number: SAME E-mail Address: \_\_\_\_\_

Occupants: 6- PLEX

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

Variance Type: \_\_\_\_\_

**Reminder:**

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11- TV-129

Petition Number: \_\_\_\_\_

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

I am requesting an extension of time to six Sirewalls that were damaged by tenants and to make repairs to an apartment that had a "meth lab" in it.

Signature (Required): James S. Evermann

Name (Print): James Evermann

Date: 9/19/11

**Important information regarding this application format:**

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington  
Housing and Neighborhood Development

Cycle Report

4557

OWNERS

ROBERT A HAAK IRREVOCABLE TRUST A & B  
C/O BRIAN GROSS 7147 PECAN CREEK LANE  
DALLAS, TX 75252

AGENT

JAMAR PROPERTY MGMT. CO.  
P.O. BOX 7812  
BLOOMINGTON IN 47407

Prop. Location: 2321 S ROCKPORT RD  
Date Inspected: 03/25/2011  
Inspectors: Norman Mosier  
Primary Heat Source: Gas  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 6 / 1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**NOTE:**

- 🏠 Room dimensions are in the file or listed on the previous cycle inspection report.
- 🏠 Only Units/Rooms with violations shall be listed on this report.

Egress window measurements for upstairs bedrooms are as follows:

**Existing Egress Window Measurements: Dbl Hung pop out: Const. Yr. - 1998**

**Height: 26 inches**

**Width: 32 inches**

**Sill Height: 24 inches**

**Openable Area: 5.78 sq. ft.**

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

Egress window measurements for basement bedrooms are as follows:

**Existing Egress Window Measurements: Slider: Const. Yr. - 1998**

**Height: 26.75 inches**

**Width: 33 inches**

**Sill Height: 44 inches**

**Openable Area: 6.13 sq. ft.**

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

### INTERIOR:

#### UNIT 2321

##### MAIN LEVEL

##### Entryway:

Repair the damaged door casing and repair the door to latch properly. PM-303.15

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

##### Kitchen:

Service the expired fire extinguisher. PM-704.3

#### UPSTAIRS

##### W Bedroom:

Repair the door to latch properly. PM-304.6

##### E Bedroom Closet:

Repair the bi-fold doors to stay in the track, function as intended. PM-304.6

##### Hall Bath:

Repair the exhaust fan to function as intended, fan won't operate. PM-603.1

Seal edge of floor covering adjacent to bathtub. PM-304.1

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster:  
Hole behind door. PM-304.3

##### Attic:

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

## **UNIT 2323**

### **MAIN LEVEL**

#### **Living Room:**

Install approved closing device for storm door. PM-102.8 & PM-303.15

Properly repair, then clean and surface coat damaged or stained ceiling area. PM-304.3

#### **Kitchen:**

Repair the faucet sprayer on the sink to function as intended by the manufacturer, or remove and properly terminate the line for the sprayer. PM-504.1

### **BASEMENT**

#### **Stairway/Hallway:**

Replace the broken light switch cover plate. PM-605.1

Repair/replace the worn carpet. PM-304.4

#### **Bath/Laundry Room:**

Repair the door to latch properly. PM-304.6

#### **Furnace Closet:**

Repair the door to latch properly. PM-304.6

#### **Bedroom:**

Repair the damaged door casing and install the door on the hinges, and repair the door to latch properly. PM-304.6

Replace the receptacle on the east wall, ground pin stuck in receptacle and replace the missing cover plate. PM-605.1

Determine the electrical problem with the light fixture, keeps blowing light bulbs, and repair to function as intended. PM-605.1

Replace the missing protective cover for the light fixture. PM-605.1

### **UPSTAIRS**

#### **Bathroom:**

Seal edge of floor covering adjacent to bathtub. PM-304.1

#### **Attic:**

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1



## UNIT 2325

### MAIN LEVEL

#### Entryway:

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

#### ½ Bath:

Secure toilet to its mountings. PM-504.1

Properly repair the sink drain to function as intended, slow. PM-504.1

#### Living Room:

Install approved closing device for storm door. PM-102.8 & PM-303.15

Replace the missing receptacle cover plate on the north wall. PM-605.1

### BASEMENT

#### Stairway/Hallway:

Replace the missing back up battery in the smoke detector. PM-704.3

#### W Room:

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster, west wall. PM-304.3

### UPSTAIRS

#### W Bedroom:

Replace the missing protective cover for the light fixture. PM-605.1

#### Bathroom:

Repair/tighten the loose doorknob, screws missing. PM-304.6

#### E Bedroom:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired, interconnected model. PM-704.1

#### Attic:

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

**UNIT 2327**

**MAIN LEVEL**

**Kitchen:**

Replace the defective GFCI to the left of the sink, won't trip. PM-605.1

**BASEMENT**

**W Room:**

Repair the damaged door casing and repair the door to latch properly. PM-304.6

Repair the damaged window sill, hole in the surface of sill. PM-304.3

Repair the defective receptacle on the east wall. PM-605.1

**Bathroom/Laundry Room:**

Repair the door to latch properly. PM-304.6

**E Bedroom:**

Repair the damaged window sill, hole in the surface of sill. PM-304.3

**UPSTAIRS**

**Stairway/Hallway:**

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired interconnected model. PM-704.1

**W Room:**

Repair the loose doorknob. PM-304.6

**Bathroom:**

Properly repair the sink drain to function as intended, slow. PM-504.1

**UNIT 2329** NOTE: Repair all smoke detectors in this unit to be interconnected. PM-704.1

**MAIN LEVEL**

**Kitchen:**

Determine the source and eliminate the water leak under the sink. PM-504.1

**BASEMENT**

**W Room:**

Repair the window to be weather tight. The sashes shall fit snugly and properly within the frame. PM-303.13, PM-303.13.2

**UPSTAIRS**

**Bathroom:**

Seal the base of shower surround at the top of the tub. PM-304.1

Secure toilet to its mountings. PM-504.1

**UNIT 2329 (continued)**

**E Bedroom:**

Repair the door to latch properly. PM-304.6

**Attic:**

Restore the integrity of the draft stop/fire separation wall in the attic. Repairs shall be made using like construction and materials. Replacement shall be done in accordance with current code requirements. PM-703.1

**UNIT 2331** NOTE: Repair all smoke detectors in this unit to be interconnected. PM-704.1

**MAIN LEVEL**

**Entryway:**

Properly install a weather strip on the entrance door to exclude air infiltration as completely as possible, and to substantially exclude rain. PM-303.13

Interior walls shall be free of holes, cracks, peeling paint and deteriorated drywall/plaster. (behind door) PM-304.3

**½ Bath:**

Properly repair the sink drain to function as intended, slow. PM-504.1

**Kitchen:**

Service the expired fire extinguisher. PM-704.3

**UPSTAIRS**

**Bathroom:**

Seal edge of floor covering adjacent to bathtub. PM-304.1

Repair or replace exhaust fan so that it functions as intended. PM-603.1

**E Bedroom:**

Repair/replace the double pane broken window, bottom sash. PM-303.13

**EXTERIOR:**

Repair the deck for unit 2323, south end sagging. PM-302.7

Replace the missing address numbers for unit 2323 & 2327:

- Numbers shall be a minimum of 4 inches tall.
- Numbers shall contrast with their background. PM-303.3

Repair/replace all missing or defective dryer vent covers. PM-403.5

Replace broken or missing spindles in handrail/guardrail on the deck of unit 2331. PM-304.5

Remove and properly dispose of all accumulated or scattered trash on property. PM-302.1

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-130

Address: 416 N. Lincoln Street

Petitioner: Warren Maynard

Inspector: Maria McCormick

Staff Report: June 15, 2011 Completed Cycle Inspection  
September 19, 2011 Receive BHQA Application  
November 1, 2011 Re-inspection conducted

During the cycle inspection there were several violations noted in this 7 unit building. This cycle report did not get sent out until the middle of July due to issues with planning that have been resolved. The owner has hired a new maintenance company since the cycle inspection was done. They are requesting an additional 60 days to complete repairs from the date of the initial cycle deadline of September 26, 2011. The property was re-inspected on November 1, 2011, all but a few items remain.

Staff recommendation: Grant the extension

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 26, 2011

Attachments: Application for Appeal, Remaining Violations Report



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

RECEIVED  
SEP 19 2011

BY: \_\_\_\_\_

Petitioner's Name: Warren Maynard

Petitioner's Address & Phone Number: 714 W 13th St Bloomington IN 47401

Owner's Name: Daniel Sobelman

Owner's Address & Phone Number: 3211 E 10th - Bloomington IN 47407  
812 287-8156

Address of Property: 416 N Lincoln

Occupant(s) Name(s): 8 units

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Warren Maynard

Name (print): Warren H. Maynard

(Will be assigned by BHQA)

11-TV-130

Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)





Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

I have just taken the job of Property  
Maintenance for Central Sobelmer/Union Beech  
and Clark Properties. 416 Need some Major  
Repairs, interior & exterior. They will  
be done ASAP. Need to schedule  
with the 8 different units

Signature:

*W. H. Meyer*

Date:

*Sept 19/11*



**City of Bloomington**  
**Housing and Neighborhood Development**

Remaining Violation Report

3475

**OWNERS**

=====

Sobelman, Daniel  
400 Skokie Boulevard Suite 700  
Northbrook, IL 60062

Prop. Location: 416 N Lincoln ST  
Date Inspected: 06/15/2011  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

**AGENT**

=====

Danhauser, Carol  
3211 E. 10<sup>th</sup> Street  
Bloomington, IN 47408

Number of Units/Structures: 7 / 1  
Number of Bedrooms: 1 each  
Max # of Occupants: 1 & 2  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: None

**VARIANCE**

=====

02/25/1981 Granted a variance to the no cooking facilities in a sleeping room in unit #7. Granted a variance to the minimum ceiling height requirement in Apt. #5 and Apt. #8.  
08/11/1976 NOTE: THE BOARD AGREED FOR A HARDSHIP VARIANCE.

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

401 N. Morton  
PO Box 100  
Bloomington, IN 47402

**City Hall**

[www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand)

Rental Inspections: (812) 349-3420  
Housing Division: (812) 349-3401  
Fax: (812) 349-3582

**NOTE: The following items have an appeal for an extension of time that will be heard by the Board of Housing Quality Appeals at the November 9, 2011 meeting.**

**INTERIOR:**

**Apt. 1 –**

Kitchen 14-0 x 3-6:

Repair the entry door to be weather tight. No gaps shall be visible around the edges. PM-303.13

Bathroom:

Repair or replace the shower door to function as intended and latch properly. PM-303.13

**EXTERIOR:**

Scrape and paint exterior surfaces where paint is peeling or wood is exposed. PM-303.2  
(This item only has a compliance deadline of June 15, 2012.)

**OTHER REQUIREMENTS:**

**The following documents were not provided to the office or reviewed by the inspector within 60 days of the date of the inspection, and as such a fine will be levied: for Apt. 3/4 only**

- **A completed copy of the Tenants & Owners Rights and Responsibilities Summary BMC16.12.050 (d).**
- **Inventory & Damage List:** The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement  
**BMC16.12.040**

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals**  
**Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: November 09, 2011

Petition Type: Relief from the Property Maintenance Code

Petition Number: 11-AA-131

Address: 710 W. 3<sup>rd</sup> Street

Petitioner: Jane Ford

Inspector: Maria McCormick

Staff Report: 06/20/2011 Cycle Inspection Conducted  
09/22/2011 Received Application of Appeal  
10/06/2011 Re-inspection Conducted

During the cycle inspection it was noted that the trees on this property needed to be cut away from the roof line. Additionally there are trees that are growing up along the foundation that pose a danger to the foundation as they continue to grow. The petitioner is requesting relief from having to comply with these two violations, so as to not have to cut or remove the trees. This property has been sited for similar violations during previous cycles and the items have always been complied with.

Staff recommendation: Deny the request for relief from the PMC.

Conditions: none

Compliance Deadline: none

Attachments: Photos; Application of Appeal; Cycle Report

8



**Application For Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov**

**Property Address:** 710 W. 3rd St., Bloomington, IN

**Petitioner's Name:** Jane Ford

**Address:** 11 James St.

**City:** Greenville

**State:** South Carolina

**Zip Code:** 29609

**Phone Number:** (812) 322-0798

**E-mail Address:** jarford@live.com

**Owner's Name:** Jane A. R. Ford

**Address:** 11 James St.

**City:** Greenville

**State:** South Carolina

**Zip Code:** 29609

**Phone Number:** 812-322-0798

**E-mail Address:** jarford@live.com

**Occupants:** managed by Choice Reality Management

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

**Variance Type:** Relief from an administrative decision. (Petition Type: AA)

**Reminder:**

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-AA-131

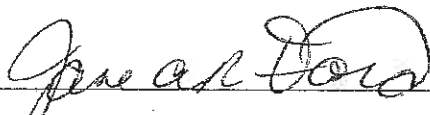
Petition Number: \_\_\_\_\_

In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

Regarding the inspection conducted in July of 2011 on the property 710 W. 3rd St., on page 3 of 3: The homeowner was cited regarding the need to trim all tree branches away from the siding and roofline to maintain a 3' clearance (citing PM-302.4.1) as well as the need to "Remove the trees growing along the foundation" (again citing PM-302.4.1). A discussion of this date 9/13/11 with the inspector indicated that the "trees" cited are saplings that will "eventually" (in a few years) be problematic for the foundation but are currently quite small. In addition, the requirement for specific 3 foot clearance of the tree branches was noted by the inspector to be just general knowledge of proper trimming, rather than legal or regulatory precedent as to a "safe" distance. Quite clearly, neither the small, new saplings or the leaves touching the house rise to the level of "danger to person or building" cited in the code. This would seem to be a small matter, except for the cost involved in remediating the trees touching the home. The cost of completing this work is excessive, given that there is in fact no real danger that exists to person or building. If there were genuine dangers, of course this homeowner would complete the work to the property as necessary. I request administrative relief from this citation.

Signature (Required):



Name (Print): Jane A. R. Ford

Date: 9/13/11

**Important information regarding this application format:**

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

**Print Form**





City of Bloomington  
Housing and Neighborhood Development

Cycle Report

4100

OWNERS

RUSH, JANE  
219 N. PERSHING DRIVE  
MUNCIE, IN 47305

AGENT

CHOICE REALTY & MANAGEMENT  
612 W. KIRKWOOD AVE.  
BLOOMINGTON, IN 47404

Prop. Location: 710 W 3RD ST  
Date Inspected: 06/20/2011  
Inspectors: Maria McCormick  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 2 / 1  
Number of Bedrooms: Eff. & 2 bd.  
Max # of Occupants: 1/3  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure: Shed/Chicken Coop

VARIANCE

05/14/2008 BHQA granted a variance to allow gas fired appliance in a sleeping room with the condition that a hard-wired carbon monoxide detector be installed.

The Monroe County Assessor's records indicate that this structure was built in 1900. At that time there were no minimum requirements for emergency egress.

INTERIOR:

710 -

Main Level -

Living Room 15-2 x 15-3; NW Room 12-2 x 11-8; Kitchen 12-3 x 10-0:

No violation noted.

Bathroom:

Scrape and paint interior surfaces where paint is peeling or bare surfaces are exposed. PM-304.3

SE Bedroom 15-2 x 15-3:

No violation noted.

Existing Egress Window Measurements:

Height: 30 inches

Width: 42 inches

Sill Height: 23 inches

Openable Area: 8.75 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

**Basement –**

Bedroom 11-4 x 25-8:

No violation noted.

Existing Egress Window Measurements:

Height: 25 ½ inches

Width: 25 ½ inches

Sill Height: 42 inches

Openable Area: 4.54 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

Bathroom:

No violation noted.

Laundry Room:

Thoroughly clean and service the furnace, inspect and test shut off valves for proper operation. Documentation from a professional HVAC contractor for this service is acceptable and encouraged. Servicing shall include a test for carbon monoxide. Acceptable levels of carbon monoxide are as follows:

Desired level: 0 parts per million (ppm)

Acceptable level in a living space: 9 ppm

Maximum concentration for flue products: 50 ppm

PM-603.1

**710 ½ -**

Main Room:

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

This room has a door to the exterior for egress.

Repair the damaged screen door. PM-102.8 & PM-303.15

Bathroom:

No violation noted.

EXTERIOR:

19/6/4  
AC Trim all tree branches away from the siding and roofline to maintain a 3' clearance. PM-302.4.1

C Clean debris from the roof, gutters and downspouts. PM-303.7

AC Remove the trees growing along the foundation. PM-302.4.1

C Replace the missing dryer vent cover. PM-403.5

OTHER REQUIREMENTS:

C Complete the enclosed registration form. A street address is required for both owner and agent. **This form must be signed by the owner.** BMC16.12.060

---

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)











City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals**  
**Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: November 9, 2011  
Petition Type: Relief from an administrative decision  
Variance Request: Relief from the requirement to register as a rental  
Petition Number: 11-AA-132  
Address: 1137 E. Commons  
Petitioner: Garth & Karen Pollock

This property is owned by Mr. & Mrs. Pollock and is occupied by Mrs. Pollock's parents, Poul & Jane Jensen. Utilities are in the name of Mr. Jensen and it appears from water usage that two people are residing in the property.

Staff recommendation: Grant the relief from the rental registration process

Conditions: This agreement shall remain in force so long as Mr. & Mrs. Jensen reside in the property. This property will be pull dated for 2013 to check residency.

Compliance Deadline: None

Attachments: Appeal form, letter from petitioner



**Application For Appeal  
To The  
Board of Housing Quality Appeals**  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov

**RECEIVED**  
SEP 26 2011

BY: \_\_\_\_\_

**Property Address:** 1137 E Commons Drive

**Petitioner's Name:** Garth and Karen Pollock

**Address:** 1413 E Elliston Drive

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47401

**Phone Number:** (812) 339-5071

**E-mail Address:** kpollock@inshindo.org

**Owner's Name:** Garth and Karen Pollock

**Address:** same as above

**City:** \_\_\_\_\_

**State:** \_\_\_\_\_

**Zip Code:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Occupants:** Poul and Jane Jensen (parents of owners)

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

**Variance Type:** A modification or exception to the Housing Property Maintenance Code. (Petition Type: <sup>AA</sup> ~~V~~)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-AA-132

Petition Number: \_\_\_\_\_



In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

Our property at 1137 E. Commons Drive, Bloomington, IN (in Sherwood Green) is NOT currently being used as a rental property. Karen's parents, Poul and Jane Jensen, are living there rent-free, and indefinitely. We therefore wish to have it exempted from the Housing Property Maintenance Code.

Signature (Required):

*Karen Pollock*

Name (Print): Karen Pollock (on behalf of both Karen and Garth Pollock)

Date: 9/26/11

**Important information regarding this application format:**

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Relief from an Administrative Decision**

Meeting Date: November 9, 2011

Petition Type: Relief from an administrative decision

Variance Request: To allow a sub-standard repair

Petition Number: 11-AA-134

Address: 163 E. Kennedy Ct.

Petitioner: Matthew Cascio

Inspector: Robert Hoole / John Hewett

Staff Report:

June 15, 2011	Complaint inspection report mailed
July 7, 2011	Remaining violations report mailed, no reinspection
July 19, 2011	Owner scheduled reinspection
July 26, 2011	Owner rescheduled reinspection
August 2, 2011	Owner rescheduled reinspection
August 19, 2011	Reinspection conducted, not complied
August 22, 2011	Reinspection conducted, not complied
September 23, 2011	Reinspection conducted, not complied
September 30, 2011	Appeal filed

As part of a complaint inspection conducted June 13, 2011 the petitioner was required to repair a broken window frame located in the exterior door of this unit. Rather than properly repairing or replacing the component the petitioner chose to slather it with caulk. HAND staff would not accept this as a "workmanlike" repair. The Property Maintenance Code requires that all work be done in a workmanlike manner, and the Code defines workmanlike as "Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work." The petitioner is requesting that the Board override HAND staff's assessment of his work as inadequate and not meeting that standard.

Staff recommendation: Deny the relief from administrative decision.

Conditions: none

Compliance Deadline: none

Attachments: Complaint report, appeal form, photograph



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

RECEIVED  
SEP 28 2011

BY: \_\_\_\_\_

PAID

Petitioner's Name: L+M Ratal CK. NO. \_\_\_\_\_  
DATE 9-30-11

Petitioner's Address & Phone Number: 8314 Ashley Ave 322 6733

Owner's Name: Matthew Casco

Owner's Address & Phone Number: 83

Address of Property: 163 Kenwood Ct

Occupant(s) Name(s): Cindy Jones

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.

- ☐ A. An extension of time to complete repairs. (Petition type: TV)  
↳ Specify the items that need the extension of time to complete  
↳ Explain why the extension is needed  
↳ Specify the time requested
- ☐ B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)  
↳ Specify the code reference number you are appealing  
↳ Detail why you are requesting the variance  
↳ Specify the modifications and or alterations you are suggesting
- ☒ C. Relief from an administration decision. (Petition type: AA)  
↳ Specify the decision being appealed and the relief you are seeking
- ☐ D. Rescind a variance. (Petition type: RV)  
↳ Detail the existing variance  
↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: [Signature]

Name (print): Matthew V Casco

(Will be assigned by BHQA)

11-AA-134

Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Do not ~~Agree~~ Agree with  
Interpretation of Ordinance  
and work cause hardship to  
replace entire Door + Jam

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Complaint Inspection Report

5648

### OWNERS

=====

CASCIO, MATTHEW V.  
8318 ASHLEY AVENUE  
BLOOMINGTON, IN 47401

### AGENT

=====

L&M RENTALS  
8318 ASHLEY AVENUE  
BLOOMINGTON IN 47401

Prop. Location: 163 E KENNEDY CT  
Date Inspected: 06/13/2011  
Inspectors: John Hewett  
Primary Heat Source: Gas  
Property Zoning: RM  
Number of Stories: 2

Number of Units/Structures: 4 / 1  
Number of Bedrooms: 3  
Max # of Occupants: 4  
Foundation Type: Crawl Space  
Attic Access: N/A  
Accessory Structure:

### VARIANCE

=====

11/08/2010 This property has been granted a variance from the Indiana State Fire Safety and Building Safety Commission on August 3, 2010 for the egress requirements. Project Name: 161-167 KENNEDY COURT WINDOWS; Variance Number: 10-07-36.

The following items are the result of a complaint inspection conducted on 06/13/2011. It is your responsibility to repair these items and to schedule a re-inspection within **fourteen (14)** days of the mailing of this report. Failure to comply with this inspection report will result in this matter being referred to the City of Bloomington Legal Department. Failure to comply with this complaint inspection report may result in fines of up to \$100.00/day. If you have questions regarding this report, please contact this office at 349-3420.

### Interior

#### Living room

Determine the source of the leak above the ceiling and repair the leak. Repair the damage to the drywall on the ceiling and paint to match the existing ceiling. PM-504.1, PM-304.3

Kitchen

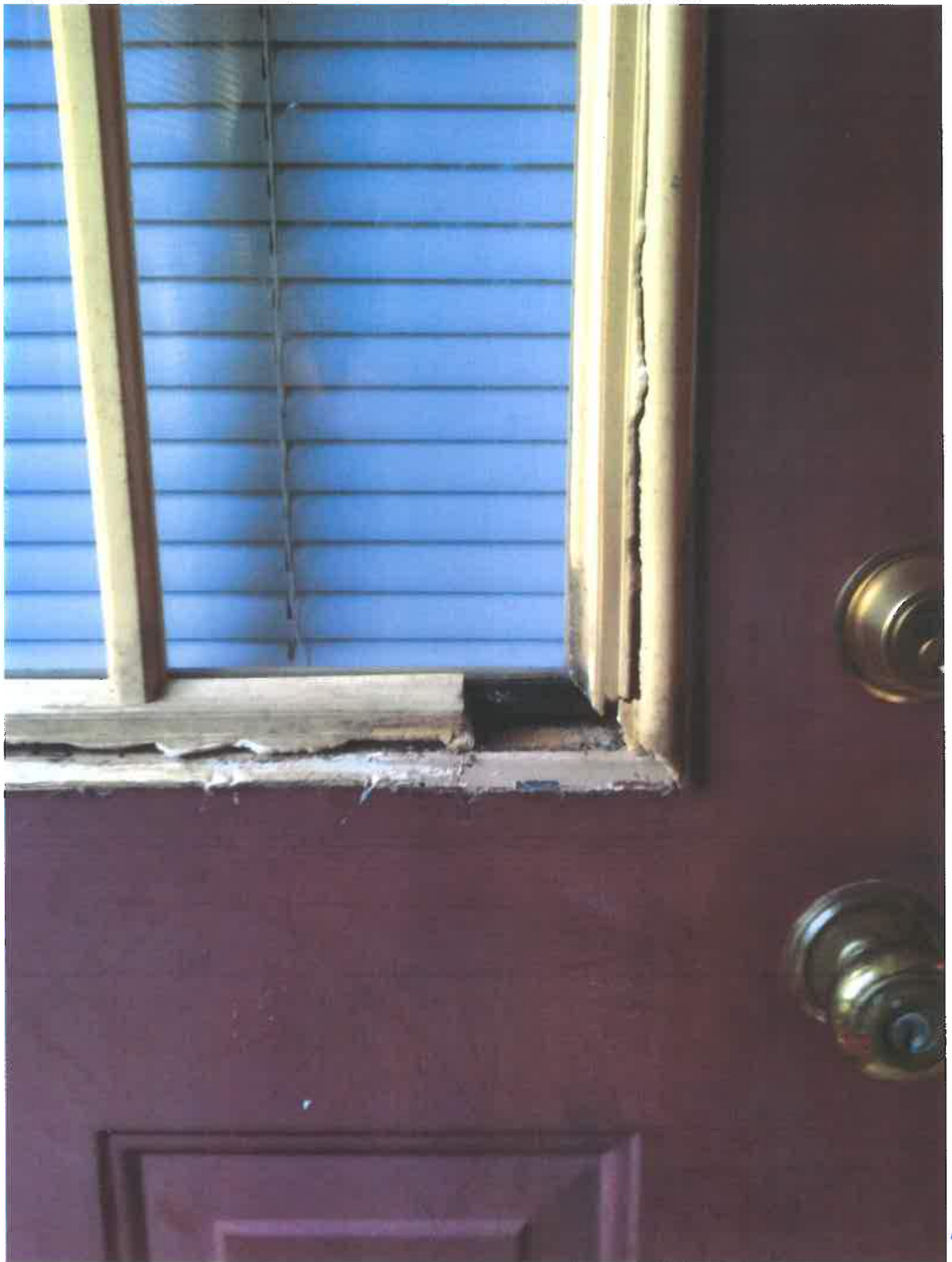
Repair the dishwasher to function as intended. PM-504.1; 603.1

Repair the broken frame for the window in the door to the exterior. PM-303.13

Exterior

Clean debris from the roof, gutters and downspouts. PM-303.7









City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to secure a state variance.

Petition Number: 11-TV-135

Address: 3200 E. John Hinkle Place Unit A

Petitioner: Alexander Mathew

Inspector: Norman Mosier

Staff Report: September 9, 2011 - Conducted Cycle Inspection  
October 6, 2011 – Scheduled Re-inspection for October 12, 2011  
October 7, 2011 – Received BHQA Appeal

It was noted during the cycle inspection that the egress windows do not meet egress requirements. Petitioner is requesting an extension of time to secure a state variance from the Indiana State Fire Prevention and Building Safety Commission, Dept. of Homeland Security.

Staff recommendation: Grant the extension of time.

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: January 9, 2012

Attachments: BHQA Appeal, Petitioner's Letter, Cycle Report.



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

RECEIVED  
OCT 07 2011  
BY: \_\_\_\_\_

Petitioner's Name: ALEXANDER MATHEW

Petitioner's Address & Phone Number: 3231 MITCHELL RD  
BEDFORD IN 47421 Tel: 276 1606

Owner's Name: Alexander Mathew

Owner's Address & Phone Number: 3231 Mitchell Rd  
Bedford, IN 47421 Tel: 812-276 1606

Address of Property: 3200 A John Hinkle Pl

Occupant(s) Name(s): Brandon Drake

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete
- ↳ Explain why the extension is needed
- ↳ Specify the time requested



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing
- ↳ Detail why you are requesting the variance
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.

Signature: Alexander Mathew

Name (print): ALEXANDER MATHEW

(Will be assigned by BHQA)

11-TV-135

Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

Variance in the Emergency  
Egress windows noted upon  
inspection. I am applying  
for an exemption.

Signature:

A handwritten signature in black ink, appearing to be "J. C. Smith" or similar, written over a horizontal line.

Date:

05/2/11





City of Bloomington  
Housing and Neighborhood Development

Cycle Report

4878

OWNERS

                      
MATHEW, ALEXANDER P.  
3231 MITCHELL ROAD  
BEDFORD, IN 47421

Prop. Location: 3200 E JOHN HINKLE PL # A  
Date Inspected: 09/08/2011  
Inspectors: Norman Mosier  
Primary Heat Source: Electric  
Property Zoning: PUD  
Number of Stories: 3

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 3  
Max # of Occupants: 5  
Foundation Type: Slab  
Attic Access: No  
Accessory Structure: None

The Monroe County Assessor's records indicate that this structure was built in 1993.  
Minimum egress requirements for a multi family dwelling at the time of construction.  
Openale area: 5.7 Sq. Ft.  
Clear height: 24 inches  
Clear width: 20 inches  
Sill height: 44 inches above finished floor

INTERIOR:

Living Room 15 x 14, Deck, Kitchen/Dining Area, Furnace Closet, Hallway, Laundry Closet:  
No violations noted.

Hall Bath:

Repair the sink drain to function as intended, slow. PM-504.1

Repair or replace exhaust fan so that it functions as intended. PM-603.1

Repair the surface of the ceiling to be free of holes, cracks, peeling paint and sagging materials. PM-304.3

S Bedroom 13 x 10:

**Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993**

**Height: 23 inches**

**Width: 43 inches**

**Sill Height: 26 inches**

**Openable Area: 6.87 sq. ft.**

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

Openable area required: 5.7 sq. ft.

Existing area: 6.87 sq. ft.

Clear width required: 20 inches

Existing width: 43 inches

**Clear height required: 24 inches**

**Existing height: 23 inches**

Maximum sill height: 44 inches above finished floor

Existing sill: 26 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

Bathroom:

No violations noted.

Middle Bedroom 10 x 9:

**Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993**

**Height: 23 inches**

**Width: 35 inches**

**Sill Height: 26 inches**

**Openable Area: 5.59 sq. ft.**

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.59 sq. ft.**

Clear width required: 20 inches

Existing width: 43 inches

**Clear height required: 24 inches**

**Existing height: 23 inches**

Maximum sill height: 44 inches above finished floor

Existing sill: 26 inches above finished floor

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is



altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

N Bedroom 10 x 9:

**Existing Egress Window Measurements: Dbl hung pop out: Const. Yr. - 1993**

**Height: 23 inches**

**Width: 35 inches**

**Sill Height: 26 inches**

**Openable Area: 5.59 sq. ft.**

The emergency egress window does not meet the minimum requirements for a multi-unit structure built in 1993:

**Openable area required: 5.7 sq. ft.**

**Existing area: 5.59 sq. ft.**

**Clear width required: 20 inches**

**Existing width: 43 inches**

**Clear height required: 24 inches**

**Existing height: 23 inches**

**Maximum sill height: 44 inches above finished floor**

**Existing sill: 26 inches above finished floor**

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

**EXTERIOR:**

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-136

Address: 311 N Clark

Petitioner: Muhammad A. Sayyid

Inspector: John Hewett

Staff Report:	June 20, 2011	Cycle w/ Agent
	July 7, 2011	Sent report
	August 1, 2011	Received Furnace documentation
	August 17, 2011	Received a new registration form
	September 29, 2011	Sent Remaining violations report
	October 11, 2011	Received a new registration form
	October 10, 2011	Received Appeal

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: November 23 for the smoke detector, fire extinguisher and broken window, December 4, 2011 for all other repairs.

Attachments: Cycle Report, Petitioner's letter

*[Handwritten signature]*



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

Petitioner's Name: MUHAMMAD A. SAYYID  
care of: Sigma Property Management,  
Petitioner's Address & Phone Number: 124 E. 6th St, Bloomington, IN Phone: 336-2009  
Owner's Name: MUHAMMAD ABDUL-WAHID SAYYID  
Post Office Box 60786, Riyadh-11555, K.S.A.  
Owner's Address & Phone Number: Bloomington Phone: 812-219-1820.  
RIYADH Phone: 966-1-403-2207.  
Address of Property: 311 North CLARK Street, Bloomington, INDIANA  
Occupant(s) Name(s): Vacant on October 11, 2011.

The following conditions must be found in each case in order for the Board to consider the request:

1. That the value of the area about the property to which the exception is to apply will not be adversely affected.
2. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Identify the variance type that you are requesting from the following list and attach the required information.



A. An extension of time to complete repairs. (Petition type: TV)

- ↳ Specify the items that need the extension of time to complete Repairs to my knowledge were not
- ↳ Explain why the extension is needed Carried out by Jedn Walters Real Estate Company.
- ↳ Specify the time requested The new Management, Sigma Property Management, will



B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)

- ↳ Specify the code reference number you are appealing Nov 4 is requested.
- ↳ Detail why you are requesting the variance Details on the back.
- ↳ Specify the modifications and or alterations you are suggesting



C. Relief from an administration decision. (Petition type: AA)

- ↳ Specify the decision being appealed and the relief you are seeking



D. Rescind a variance. (Petition type: RV)

- ↳ Detail the existing variance
- ↳ Specify the reason the variance is no longer needed

I certify that all information submitted with this request is correct and I have enclosed the \$20.00 filing fee.  
CHQ # 512 Chase.

Signature: Muhammad A. Sayyid

Name (print): MUHAMMAD A. SAYYID

(Will be assigned by BHQA)

11-TV-136

Petition Number: \_\_\_\_\_

(Please use the reverse side for further explanation and/or request)



Application for Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420

(Please write a brief narrative in the space provided below. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting.)

The repairs recommended by HAND for the property 311 NORTH CLARK STREET were not, to my knowledge, carried out by the previous management company (Jeanne Walters Real Estate). Therefore, a one-month notice of termination of contract was sent to them by my Attorney Michael O. Ellis terminating the contract on November 4, 2011. (photocopy of the notice attached). The new management company, Sigma Property Management, assuming responsibility on November 4, 2011 will carry out the repairs. An extension of time for one month from November 4 to December 4, 2011 is requested.

Signature: Muhammad A. Sayyid Date: October 11, 2011

*The Law Offices of*  
**MICHAEL O. ELLIS**

627 N. Morton Street  
Bloomington, Indiana 47404

---

(812) 336-7229 phone  
(812) 336-7242 fax

October 4, 2011

Certified Mail

Jeanne Walters Real Estate  
107 E. 6<sup>th</sup> Street  
Bloomington, IN 47408-3363

Re: 311 N. Clark Street

To Whom It May Concern:

I am an attorney representing Muhammad A. Sayyid with respect to the property management contract for the above-referenced real estate. I have enclosed a copy of the contract for your ease of reference.

Please let this letter constitute notice that in 30 days from the date hereof the Property Management Contract shall terminate in accordance with the terms of the contract. On or before November 4, 2011 please have delivered to my office all documents and items in your possession pertaining to 311 N. Clark Street, including, without limitation, all leases, receipts, keys, a final accounting, HAND repair citations, repair bills and all other such documents or things. Thank you for your service and your kind cooperation with this notice.

Very truly yours,

Michael O. Ellis

cc: M. Sayyid



**City of Bloomington  
Housing and Neighborhood Development**

SEP 29 2011

Remaining Violations Report

156

**OWNERS**

Sayyid, Muhammad A.  
P.O. Box 60786 Riyadh-11555  
Saudi Arabia, 00165-6078

**AGENT**

Jeanne Walters Real Estate  
107 E. 6th St.  
Bloomington, IN 47408

Prop. Location: 311 N Clark ST  
Date Inspected: 06/20/2011  
Inspectors: John Hewett  
Primary Heat Source: Gas  
Property Zoning: RC  
Number of Stories: 1

Number of Units/Structures: 1 / 1  
Number of Bedrooms: 2  
Max # of Occupants: 3  
Foundation Type: Crawl Space  
Attic Access: N/A  
Accessory Structure: Garage

**REINSPECTION REQUIRED**

This report is your final notice from the Housing and Neighborhood Development Office that this rental property continues to be in violation of the Housing-Property Maintenance Code of Bloomington.

If you have made all of the repairs on this report, contact our office immediately to schedule the required re-inspection.

Failure to make repairs or to schedule the required re-inspection will result in this matter being referred to the City Legal Department. Legal action may be initiated against you under Section 16.12.100 of the Bloomington Municipal Code.

It is your responsibility to contact the Housing and Neighborhood Development Office to schedule the required re-inspection. Our mailing address and telephone number are listed below.

Monroe County Assessor's records indicate this structure was built in 1948.  
There were no requirements for emergency egress at the time of construction.

## Interior

### Living room

11-4 x 15-10

Repair the broken window on the east wall. PM-303.13

### NE bedroom

11-2 x 9-2

Replace the missing smoke detector. If the missing smoke detector was hard wired it must be replaced with a hard wired model. PM-704.1

Repair the closet doors to operate on their tracks. PM-304.6

#### Existing Egress Window Measurements:

Height: 21.5 inches

Width: 32.5 inches

Sill Height: 23 inches

Openable Area: 4.85 sq. ft.

**Note:** At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

### NW bedroom

11-5 x 9-5

From May 15th to October 15th of each year, every door opening directly from any rental unit to the outdoors, and every window or other outside opening used for ventilation purposes shall be supplied with approved screening. PM-303.14

#### Existing Egress Window Measurements:

Height: 21.5 inches

Width: 27 inches

Sill Height: 23 inches

Openable Area: 4.03 sq. ft.

**Note:** At the time this structure was built, there were no code requirements for emergency egress for a sleeping room. The Housing & Neighborhood Development Department strongly recommends that the sleeping room egress windows be modified or replaced with a larger window to aid in emergency escape. BMC-16.04.040 (b)

### Bathroom

Replace broken/missing light switch cover plate. PM-605.1

### Kitchen

10-11 x 8-9

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be



recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Exterior

Repair the screen in the storm door. PM- 303.14

Remove the ivy growing at the NE corner and pulling the siding off. PM-303.6

Secure the loose gutter on the rear of the house. PM-303.7

Properly secure the loose crawl space cover. PM-303.16

Garage

No violations noted.

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection **or a \$25.00 fine will be levied. BMC 16.12.050 (d)**

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-137

Address: 328 S Grant

Petitioner: Jason L. McAuley, Attorney for Ower

Inspector: John Hewett

Staff Report: September 20, 2011 Cycle w/ Agent  
October 6, 2011 Sent report  
October 12, 2011 Received Appeal

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 09, 2012 for the windows. No extension granted for other violations.

Attachments: Cycle Report, Petitioner's letter



**Application For Appeal  
To The  
Board of Housing Quality Appeals**

**P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov**

**RECEIVED**  
OCT 12 2011

BY: \_\_\_\_\_

**Property Address:** 328 S. Grant Street, Bloomington, IN 47401

**Petitioner's Name:** Jason L. McAuley, Attorney for Owner

**Address:** 320 W 8th ST STE 118

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47404

**Phone Number:** (812) 822-2526

**E-mail Address:** jason@mcauleylawoffices.com

**Owner's Name:** Mara Jade Holdings, LLC

**Address:** 404 E. 75th ST Apt 5E

**City:** New York

**State:** New York

**Zip Code:** 10021

**Phone Number:** 212-772-2001

**E-mail Address:** michael@michaelbrams.com

**Occupants:** A: Michael Mulica; Robert White; Ross Modjeska; Chris Ortmann; Matt Robinson  
B: Kevin Boughey; Chris Fangman; Adam Burchfield; Lukas Higgins; Phillip Gantner

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

**Variance Type:** An extension of time to complete repairs. (Petition Type: TV)

**Reminder:**

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-137

Petition Number: \_\_\_\_\_

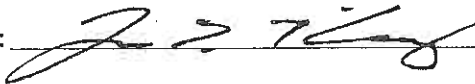
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

Cycle Inspection Report dated 10-06-2011 cites the windows in the: S center bedroom & bath; SW bedroom; N bedroom & bath; and SE bedroom & bath as not meeting the emergency egress requirements. To expand the windows and meet the requirements cited in the Report, will require that the tenants of each such bedroom vacate the premises during remediation. The lease for the current tenants expires 8-15-2012. The Owner respectfully requests the Board grant an extension of time to complete the above repairs until 8-20-2012.

Cycle Inspection Report dated 10-06-2011 cites the windows in the: NW; NE; SE and S center bedrooms as not meeting the emergency egress requirements. To lower the sill height of the windows and meet the requirements cited in the Report, may require cutting into the foundation of the building structure. The lease for the current tenants expires 8-15-2012. Any remediation work occurring prior to such date would require the tenants of each such bedroom to vacate the premises. The Owner respectfully requests the Board grant an extension of time to complete the above repairs until 8-20-2012.

Signature (Required):



Name (Print): Jason L. McAuley, Attorney for Owner Mara Jade Holdings, LLC

Date: 10/12/11

**Important information regarding this application format:**

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington**  
**Housing and Neighborhood Development**

Amended Cycle Report  
Amended 10/31/2011

7701

**OWNERS**

=====  
Mara Jade Holdings, LLC  
404 E. 75th St., Apt 5e  
New York, NY 10021

**AGENT**

=====  
Jamar Property Mgmt. Co.  
P.O. Box 7812  
Bloomington, IN 47407

Prop. Location: 328 S Grant ST  
Date Inspected: 09/20/2011  
Inspectors: John Hewett  
Primary Heat Source: Gas  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 5 each  
Max # of Occupants: 5 each  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 2005.  
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 5.0 sq. ft. for grade floors, 5.7 sq. ft. for all other floors  
Clear width required: 20"  
Clear height required: 22"  
Maximum Allowable Sill Height: 44" above finished floor

**The windows were re-measured on 10-26-2011.**

Interior

Unit A  
Living room  
20-9 x 13-0  
No violations noted.

401 N. Morton  
PO Box 100  
Bloomington, IN 47402

**City Hall**

[www.bloomington.in.gov/hand](http://www.bloomington.in.gov/hand)

Rental Inspections: (812) 349-3420  
Housing Division: (812) 349-3401  
Fax: (812) 349-3582

Kitchen/ Dining room

25-7 x 18-7

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Repair the malfunctioning light fixture. PM-605.1

Bathroom

No violations noted.

Bedroom

13-0 x 13-0

Existing Egress Window Measurements:

Height: 29 inches

Width: 33 inches

Sill Height: 21 inches

Openable Area: 6.64 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

2nd Floor

Hall Bathroom

No violations noted.

S center bedroom & bath 14-0 x 13-0, SW bedroom 14-1 x 13-0, N bedroom & bath 9-5 x 10-3, SE bedroom & bath 14-10 x 12-10

Existing Egress Window Measurements:

Height: 25.25 inches

Width: 32.75 inches

Sill Height: 24 inches

Openable Area: 5.74 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

Study (NW room)

13-0 x 11-0

No violations noted.

Unit B (basement unit)

Living room

19-4 x 15-10

No violations noted.

Kitchen

15-4 x 10-9

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Study (SW room)

9-4 x 9-4

No violations noted.

SW bedroom

10-10 x 10-0

Existing Egress Window Measurements:

Height: 25.25 inches

Width: 32.75 inches

Sill Height: 24 inches

Openable Area: 5.74 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

NW bedroom

10-10 x 9-10

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

NE bedroom

12-2 x 11-0

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
-------------------------	-------------	----------------	--------------



Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
<u>Maximum sill height:</u>	<u>44" above finished floor</u>	<u>Existing sill:</u>	<u>48"</u>

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

SE bedroom  
10-0 x 10-11

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
<u>Maximum sill height:</u>	<u>44" above finished floor</u>	<u>Existing sill:</u>	<u>48"</u>

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

S center bedroom

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
<u>Maximum sill height:</u>	<u>44" above finished floor</u>	<u>Existing sill:</u>	<u>48"</u>

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to

Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

Loft

13-4 x 13-4

No violations noted.

Exterior

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)



City of Bloomington  
H.A.N.D.

**Board of Housing Quality Appeals  
Staff Report: Petition for Extension of Time**

Meeting Date: November 9, 2011

Petition Type: An extension of time to complete repairs

Petition Number: 11-TV-138

Address: 332 S Grant

Petitioner: Jason L. McAuley, Attorney for Owner

Inspector: John Hewett

Staff Report: September 20, 2011 Cycle w/ Agent  
October 6, 2011 Sent report  
October 12, 2011 Received Appeal

Staff recommendation: Grant the extension of time

Conditions: All repairs must be completed and re-inspected no later than the deadline stated below, or this case will be turned over to the City of Bloomington Legal Department for further action including the possibility of fines.

Compliance Deadline: April 09, 2012 for the windows. No extension granted for the other violations.

Attachments: Cycle Report, Petitioner's letter



**Application For Appeal  
To The  
Board of Housing Quality Appeals  
P.O. Box 100  
Bloomington, IN 47402  
812-349-3420  
hand@bloomington.in.gov**

**RECEIVED**  
OCT 12 2011

**Property Address:** 332 S. Grant Street, Bloomington, IN 47401

**Petitioner's Name:** Jason L. McAuley, Attorney for Owner

**Address:** 320 W 8th ST STE 118

**City:** Bloomington

**State:** Indiana

**Zip Code:** 47404

**Phone Number:** (812) 822-2526

**E-mail Address:** jason@mcauleylawoffices.com

**Owner's Name:** Mara Jade Holdings, LLC

**Address:** 404 E. 75th ST Apt 5E

**City:** New York

**State:** New York

**Zip Code:** 10021

**Phone Number:** 212-772-2001

**E-mail Address:** michael@michaelbrams.com

**Occupants:** A: Casey Troyer; Cameron Robinson; Jordon Green; Joshua Lipton; Kevin McKibbon  
B: Alyssa Harms; Amy Cherner; Katherine Havlat; Kelsey Gillis; Lindsay Goldenberg

**The following conditions must be found in each case in order for the Board to consider the request:**

1. That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
2. That the value of the area about the property to which the exception is to apply will not be adversely affected.

**Identify the variance type that you are requesting from the following drop down menu:**

**Variance Type:** An extension of time to complete repairs. (Petition Type: TV)

Reminder:

A \$20.00 filing fee must be submitted with the Appeal Application or the application will not be considered to be complete! A completed application has to be submitted prior to the meeting application deadline in order to be placed on that months agenda!

(Will be assigned by BHQA)

11-TV-138

Petition Number: \_\_\_\_\_

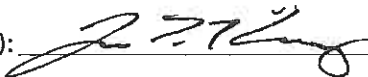
In the space provided below please write a brief narrative regarding your request. Be specific as to what you are requesting, the reason(s) or justification(s) for your request, the amount of time needed to bring the property into compliance, as well as any modifications and/or alterations you are suggesting. The following information must be included dependent upon the type of variance you are requesting:

- A. An extension of time to complete repairs. (Petition type: TV)
  - 1. Specify the items that need the extension of time to complete.
  - 2. Explain why the extension is needed.
  - 3. Specify the time requested.
- B. A modification or exception to the Housing Property Maintenance Code. (Petition type: V)
  - 1. Specify the code reference number you are appealing.
  - 2. Detail why you are requesting the variance.
  - 3. Specify the modifications and or alterations you are suggesting.
- C. Relief from an administration decision. (Petition type: AA)
  - 1. Specify the decision being appealed and the relief you are seeking.
- D. Rescind a variance. (Petition type: RV)
  - 1. Detail the existing variance.
  - 2. Specify the reason the variance is no longer needed.

Cycle Inspection Report dated 10-06-2011 cites the windows in the: S center bedroom & bath; SW bedroom; N bedroom & bath; and SE bedroom & bath as not meeting the emergency egress requirements. To expand the windows and meet the requirements cited in the Report, will require that the tenants of each such bedroom vacate the premises during remediation. The lease for the current tenants expires 8-15-2012. The Owner respectfully requests the Board grant an extension of time to complete the above repairs until 8-20-2012.

Cycle Inspection Report dated 10-06-2011 cites the windows in the: NW; NE; SE and S center bedrooms as not meeting the emergency egress requirements. To lower the sill height of the windows and meet the requirements cited in the Report, may require cutting into the foundation of the building structure. The lease for the current tenants expires 8-15-2012. Any remediation work occurring prior to such date would require the tenants of each such bedroom to vacate the premises. The Owner respectfully requests the Board grant an extension of time to complete the above repairs until 8-20-2012.

Signature (Required):



Name (Print): Jason L. McAuley, Attorney for Owner Mara Jade Holdings, LLC

Date: 10/12/11

**Important information regarding this application format:**

- 1. This form is designed to be filled out electronically, printed, then returned/submitted manually (e.g. postal mail).
- 2. This document may be saved on your computer for future use, however, any data that you have entered will not be saved.

Print Form



**City of Bloomington**  
**Housing and Neighborhood Development**

Amended Cycle Report  
Amended 10/31/2011

489

OWNERS

=====

Mara Jade Holdings, LLC  
404 E. 75th St., Apt 5e  
New York, NY 10021

AGENT

=====

Jamar Property Mgmt. Co.  
P.O. Box 7812  
Bloomington, IN 47407

Prop. Location: 332 S Grant ST  
Date Inspected: 09/20/2011  
Inspectors: John Hewett  
Primary Heat Source: Gas  
Property Zoning: RH  
Number of Stories: 2

Number of Units/Structures: 2 / 1  
Number of Bedrooms: 5 each  
Max # of Occupants: 5 each  
Foundation Type: Basement  
Attic Access: Yes  
Accessory Structure:

Monroe County Assessor's records indicate this structure was built in 2005.  
Minimum requirements for emergency egress windows at the time of construction.

Openable area required: 5.0 sq. ft. for grade floors, 5.7 sq. ft. for all other floors  
Clear width required: 20"  
Clear height required: 22"  
Maximum Allowable Sill Height: 44" above finished floor

**The windows were re-measured on 10-26-2011.**

Interior

Unit A

Living room

20-9 x 13-0

No violations noted.

Kitchen/ Dining room

25-7 x 18-7

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the maintenance. Metal head extinguishers must be maintained in accordance with NFPA 10. Metal head extinguishers must be maintained in accordance with NFPA 10. Metal head extinguishers must be maintained in accordance with NFPA 10.

401 N. Morton  
PO Box 100  
Bloomington, IN 47402

City Hall  
www.bloomington.in.gov/hand

Housing Division: (812) 349-3401  
Fax: (812) 349-3582



recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

Install a cable clamp where the power supply enters the garbage disposal. PM-605.1

Bathroom

No violations noted.

Bedroom

13-0 x 13-0

Existing Egress Window Measurements:

Height: 29 inches

Width: 33 inches

Sill Height: 21 inches

Openable Area: 6.64 sq. ft.

Note: These measurements are for reference only. There is no violation of the emergency egress requirements.

2nd Floor

Hall Bathroom

No violations noted.

S center bedroom & bath 14-0 x 13-0, SW bedroom 14-1 x 13-0, N bedroom & bath 9-5 x 10-3, SE bedroom & bath 14-10 x 12-10

Existing Egress Window Measurements:

Height: 25.25 inches

Width: 32.75 inches

Sill Height: 24 inches

Openable Area: 5.74 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

Study (NW room)

13-0 x 11-0

No violations noted.

Unit B (basement unit)

Living room

19-4 x 16-10

No violations noted.

Kitchen

15-4 x 10-9

All fire extinguishers must be inspected every 30 days and a record of that inspection shall be kept. Metal head extinguishers shall be subjected to maintenance at intervals of not more than one (1) year and shall have a tag or label securely attached that indicates the month and year the maintenance was performed as well as the identity of the person/company performing the service. Metal head extinguishers must be

recharged every six years and hydro-tested every 12 years per NFPA-10. Plastic head extinguishers must be replaced every 12 years per NFPA-10. PM-704.3

SW bedroom

10-10 x 10-0

Existing Egress Window Measurements:

Height: 25.25 inches

Width: 32.75 inches

Sill Height: 24 inches

Openable Area: 5.74 sq. ft.

**Note: These measurements are for reference only. There is no violation of the emergency egress requirements.**

NW bedroom

10-10 x 9-10

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

NE bedroom

12-2 x 11-0

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

SE bedroom

10-0 x 10-11

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

S center bedroom

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 2005:

Openable area required:	5.7 sq. ft.	Existing area:	7.29 sq. ft.
Clear width required:	20"	Existing width:	30"
Clear height required:	22"	Existing height:	35"
Maximum sill height:	44" above finished floor	Existing sill:	48"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the Department of Homeland Security on the Fire Prevention and Building Safety Commission's web site at [www.in.gov/dhs/2375.htm](http://www.in.gov/dhs/2375.htm). Scroll down to Downloadable Forms and Documents and click on Variance Application and Instructions. If you need any further clarification, the Commission can be reached at 317.233.5341.

Loft

13-4 x 13-4

No violations noted.

Exterior

No violations noted.

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)